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JIMMY L NEWMAN
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 JIMMY L. NEWMAN,

15 Defendant.
16

Case No. 5:23-cr-00002-JLT-CDB

**STIPULATION TO MODIFY BRIEFING
SCHEDULE; ORDER**

17 IT IS HEREBY STIPULATED by and between the parties through their respective
18 counsel, Assistant United States Attorney Chan Hee Chu, counsel for plaintiff, and Assistant
19 Federal Defender Laura Myers, counsel for Jimmy L. Newman, that the Court may modify the
20 briefing schedule for Mr. Newman's appeal of a magistrate judge decision.

21 On March 20, 2024, Mr. Newman filed a timely Notice of Appeal. *See* ECF #11. That
22 same day, the Court issued its standard Briefing Schedule. *See* ECF #13. Under the Briefing
23 Schedule, Mr. Newman's opening brief is due 21 days after the filing of appropriate transcripts.
24 The transcript was filed April 15, 2024. *See* ECF #19. Accordingly, his opening brief is currently
25 due May 6, 2024, and the government's answering brief is due 21 days after the filing of Mr.
26 Newman's opening brief. *See id.* The Briefing Schedule provided that the dates "may be altered
27 by the assigned Judge upon application of the parties . . ." ECF #13.

28 On April 23, 2024, this Court modified the Briefing Schedule at the request of the parties

as follows: appellant's brief due June 3, 2024; appellee's brief due July 3, 2024; and appellant's reply brief due July 17, 2024. ECF #21.

The parties have conferred and now request that the Court further alter the Briefing Schedule to enable each party adequate time to review the record and conduct necessary research. The parties request a new schedule as follows: appellant's brief due June 17, 2024; appellee's brief due July 17, 2024; and appellant's reply brief due July 31, 2024.

Respectfully submitted,

PHILLIP A. TALBERT
United States Attorney

Date: May 31, 2024

/s/ Chan Hee Chu
CHAN HEE CHU
Assistant United States Attorney
Attorney for Plaintiff

HEATHER E. WILLIAMS
Federal Defender

Date: May 31, 2024

/s/ Laura Myers
LAURA MYERS
Assistant Federal Defender
Attorney for Defendant
JIMMY L. NEWMAN

ORDER

IT IS SO ORDERED. Appellant's brief is due June 17, 2024; Appellee's brief is due July 17, 2024; and Appellant's reply brief is due July 31, 2024.

IT IS SO ORDERED.

Dated: **June 3, 2024**


UNITED STATES DISTRICT JUDGE